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AUG 02 2005

OFFICE OF PETITIONS

In re Application of :
Eiju Katsuragi, et al. :
Application No. 09/866,226 : ON PETITION
Filed: May 24, 2001 :
Attorney Docket No. 16869S-027400US :

This is a decision on the petition to revive under 37 CFR 1.137(b), filed May 2, 2005, which is being treated as a petition to withdraw the holding of abandonment.

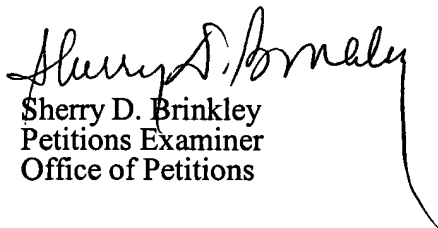
The petition is **GRANTED**.

The application was held abandoned for a failure to respond to a non-final Office action mailed October 5, 2004. Petitioner indicates that a response was timely filed on February 28, 2005; however, the response was directed to an incorrect application number. Consequently, the response was not associated with the correct application. Petitioner has provided a copy of the response. It is noted that the amendment contains an incorrect application number. Nevertheless, a response that has an incorrect application number is handled in accordance with MPEP 508.03. If a paper having an incorrect application number contains sufficient information to identify the correct application and it was timely filed, the holding of abandonment will be withdrawn. In reviewing the papers submitted, it is concluded that the information contained thereon was sufficient to associate the papers with the correct application.

In view of the above, the holding of abandonment is hereby withdrawn and the application restored to pending status. The response filed February 28, 2005, has been removed from the incorrect Image File Wrapper (IFW) and uploaded to the correct file. Under the circumstances of this case, the \$1500 petition fee is being refunded in the form of a credited to counsel's deposit account.

Telephone inquires related to this decision should be directed to the undersigned at (571) 272-3204.

This application is being referred to Technology Center AU 2157 for further prosecution.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions